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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA
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7 KENNETH J. SCHIRO,

8 Plaintiff,

9 v.

10 STEPHEN CLARK, *et al.*,

11 Defendant.
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3:10-CV-00203-RCJ-VPC

ORDER

13 Before the Court is the Report and Recommendation (#111) entered on January 14, 2013.
14 Plaintiff filed Objections to Magistrate Judge's Report and Recommendation and/or Motion for
15 Reconsideration (#112) on February 4, 2013.

16 The Court has conducted its *de novo* review in this case, has fully considered the objections of
17 the Plaintiffs, the pleadings and memoranda of the parties and other relevant matters of record pursuant
18 to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2. The district court may accept, reject, or modify in
19 whole or in part, the findings and recommendations made by the magistrate judge. Fed. R. Civ. P. 72(b).
20 The Court determines that the Magistrate Judge's Report and Recommendation (#111) entered on
21 January 14, 2013 is adopted and accepted.

22 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#111)
23 is ADOPTED and ACCEPTED.

24 IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment (#92) is
25 GRANTED in part and DENIED in part as follows:

26 IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment is GRANTED
27 as to Plaintiff's First Amendment retaliation claim.

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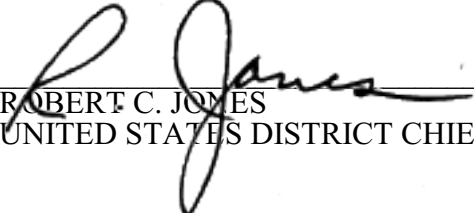
1 IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment is DENIED as
2 to Plaintiff's Fourteenth Amendment due process claims.

3 IT IS FURTHER ORDERED that Defendants' LeGrand and Palmer are DISMISSED from this
4 action, as they were sued in their official capacities only.

5 IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment is GRANTED
6 as to Plaintiff's supervisory liability claims.

7 IT IS SO ORDERED.

8 DATED: this 11th day of March, 2013.

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11 ROBERT C. JONES
12 UNITED STATES DISTRICT CHIEF JUDGE
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